



Candidacy Requirements

For

General Assembly

November 2003 Elections



2003 ELECTION CALENDAR

Senate of Virginia AND House of Delegates

ELECTION TYPE	ELECTION DATE	⁴ DEADLINES (PERIODS) FOR FILING			LAST DAY TO REGISTER TO VOTE	DEADLINE TO APPLY FOR ABSENTEE BALLOT
		² CANDIDATE DECLARATIONS/ PETITIONS	² OTHER CANDIDATE FORMS	³ PARTY CHAIRS CERTIFY CANDIDATES		
¹ Primary	June 10	March 25 noon to April 11 5:00 p.m.	April 11 5:00 p.m.	April 16 5:00 p.m.	May 12 5:00 p.m.	By Mail: June 5 In Person: June 7
		PARTY NOMINATIONS, OTHER THAN BY PRIMARY ELECTION, MAY BE MADE NO EARLIER THAN MAY 9 AND MUST BE COMPLETED BY 7:00 P.M., JUNE 10.				
² General	November 4	Independent (Non-Party Candidates ONLY) June 10 7:00 p.m.	ALL Candidates June 10 7:00 p.m.	June 16 5:00 p.m.	October 6 5:00 p.m.	By Mail: October 30 In Person: November 1

¹Notification of adoption of primary must be filed with the State Board of Elections by the party chair for the election district no sooner than **February 20, 2003** nor later than **March 12, 2003**.

²See the following pages for specifics as to forms required and where to be filed. Bulletin and forms are available on our website: **WWW.SBE.STATE.VA.US** OR for a \$10.00 prepaid fee, from the State Board of Elections. Make checks payable to: State Board of Elections VOICE: 804-786-6551 Toll-free: 800-552-9745 TTY: Toll-free 800-260-3466.

³Forms for use in certification will be mailed to Party Chairs by State Board of Elections.

ON ANY ELECTION DAY - WHETHER GENERAL, PRIMARY, OR SPECIAL - THE POLLS ARE REQUIRED TO OPEN AT 6:00 A.M. AND CLOSE AT 7:00 P.M.



INTRODUCTION

This bulletin and all required forms are available on our website:

WWW.SBE.STATE.VA.US

Each document is explained in Item IV on Pages 3, 4 and 5 herein.

Filing deadlines and the officer with whom the qualifying forms are filed are addressed for each candidate type, i.e., Party Candidate Nominated By Primary; Party Candidate Nominated By Method Other Than A Primary, and Independent (Non-Party) candidate.

Your particular attention is called to Item I on Page 1. This section addresses advertising and campaign material identification.

Should you have questions relating to your candidacy, please do not hesitate to call our toll-free line (800)-552-9745 and ask for the Election Services Division. You also can reach us at 804-786-6551.



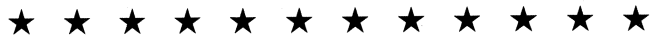


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I. ADVERTISING AND CAMPAIGN MATERIALS

The General Assembly enacted legislation that revises the requirements of the Campaign Finance Disclosure Act relating to advertising and identification of campaign ads and materials, including sample ballots.

Refer to Chapter 7 the *Summary of the Campaign Finance Disclosure Act* (CFDA) published by the State Board of Elections for specific requirements.

If you have questions on the Act, please call our toll-free line and ask for the Campaign Finance Division.

The following is provided for your additional information:

a. Sample Ballots

Any **sample** of a paper or voting machine **ballot** must contain the words **SAMPLE BALLOT**, the appropriate authority statement required by the CFDA and, in addition, must:

- (a) contain the words **SAMPLE BALLOT** in not less than 24 point type; and
- (b) if a **paper ballot**, be printed on paper of a color **other than white**.

b. Posting

Campaign materials may **not** be posted on any state-owned right of way [see Page 2 herein]. Contact your County Administrator or City Manager to determine whether local ordinances prohibit or restrict the posting of campaign materials.

c. Violations

If you believe the law has been violated and you have facts concerning the violation, you should report these facts in writing to the Commonwealth's Attorney in the county or city in which the violation happened.

II. VDOT INFORMATION

A “clean” campaign is a sign of the times .



Don't “trash” your print budget or throw away volunteer time.

HIGHWAY WORKERS ARE REQUIRED BY LAW TO REMOVE POSTERS AND FLYERS ON SIGNS, GUARDRAILS - OR ANYWHERE ELSE ON STATE-OWNED RIGHT OF WAY. CAMPAIGN PRINT MATERIALS ARE TOO EXPENSIVE TO WIND UP IN THE BACK OF A VDOT TRUCK. AND VOLUNTEER TIME IS TOO VALUABLE TO BE WASTED ON PUTTING UP MATERIALS THAT ARE DESTINED TO COME DOWN.



Don't make highway workers “play politics” on the job.

PICKING UP POLITICAL MATERIALS IS A COSTLY ACTIVITY FOR VDOT. BUT THE COST TO THE CANDIDATE COULD BE EVEN HIGHER. VOTERS DON'T LIKE TO SEE THEIR TAX DOLLARS SUPPORTING SUCH ACTIVITIES. THEY EXPECT TO SEE HIGHWAY WORKERS PATCHING POTHOLES, FILLING LOW SHOULDERS, OR MOWING GRASS.



Don't let campaign materials turn into litter.

MANY VOTERS VOLUNTEER THEIR TIME TO CLEAN UP ROADSIDES IN VDOT'S “ADOPT-A-HIGHWAY” PROGRAM. AFTER SPENDING SEVERAL BACK-BREAKING HOURS BENDING OVER TO PICK UP POLITICAL POSTERS, THEY WON'T FEEL TOO KINDLY TOWARDS THE NAMES AND FACES THAT THEY SEE OVER AND OVER AGAIN.



Don't get “stuck” by bumper stickers.

ONE LITTLE BUMPER STICKER CAN CAUSE A LOT OF EXPENSE. IF APPLIED TO A ROADSIDE SIGN, THE STICKY RESIDUE IS ALMOST IMPOSSIBLE TO REMOVE. THE SIGN MAY HAVE TO BE REPLACED ENTIRELY. THE LARGE GREEN HIGHWAY SIGNS, FOR EXAMPLE, CAN COST UP TO \$800. EVEN A HUMBLE STOP SIGN COSTS MORE THAN \$50. DON'T RISK ALIENATING VOTERS BY DESTROYING THE VERY SIGNS THAT THEIR TAX DOLLARS HAVE PAID FOR.



Don't risk your candidate's image.

IT IS ILLEGAL TO PLACE POLITICAL SIGNS ON STATE-OWNED RIGHT OF WAY. YOU WANT CITIZENS TO VIEW YOUR CANDIDATE AS A LAWMAKER - NOT A LAW-BREAKER.



Don't risk someone's life.

ONE MISPLACED SIGN AT AN INTERSECTION COULD BLOCK A MOTORIST'S VISION - AND COST SOMEONE HIS LIFE. THAT'S WHY VDOT TRAFFIC ENGINEERS REVIEW THE PLACEMENT AND POSITION OF EACH HIGHWAY SIGN TO ENSURE SAFETY - AND TO MINIMIZE “VISUAL CLUTTER”. UNDERSTANDABLY, CAMPAIGN VOLUNTEERS ARE THINKING ABOUT VICTORY - NOT SAFETY. AND THAT COULD POSE A DEADLY PROBLEM.

DO put signs, posters, and other campaign materials anywhere you want on private property with the owner's permission, of course. And because political signs and posters located off the right of way aren't considered “outdoor advertising”, you won't even need a permit.

VDOT - call your local Virginia Department of Transportation office for details.

III. QUALIFICATIONS TO BE A CANDIDATE

A candidate must be:

- ◆ Qualified to vote for and hold the office sought;
- ◆ Twenty-one years of age by the time of the election;
- ◆ A resident of the Commonwealth for one year immediately preceding the election; and
- ◆ A resident, by the time of filing, of the Senate or House of Delegates district to be represented.

IV. DISQUALIFICATION - CFDA REPORTS NOT FILED FOR PRIOR CAMPAIGN

Individuals who are seeking, and who during the preceding five years have campaigned for, the offices of Governor, Lieutenant Governor, Attorney General, the Virginia Senate or House of Delegates must have filed all required campaign contributions and expenditures reports for those past campaigns in order to qualify as a new candidate for any office of these offices. This is required by § 24.2-503.1 of the *Code of Virginia* and is in addition to other requirements for candidacy.

V. DOCUMENTS REQUIRED TO BE FILED

A candidate must file certain documents in order to qualify to appear on the ballot. Each form is described below. An explanation of who is required to file each item also is provided. Each document can be downloaded from our website:

www.sbe.state.va.us/Election/Candidates/Forms

A. Statement of Organization for a CANDIDATE

This document is prepared and distributed by the State Board of Elections. **All** candidates are required to file this form. Any individual serving as campaign treasurer must be a qualified voter of the Commonwealth. A candidate may serve as his own treasurer.

Virginia law requires each candidate to provide the name of the financial institution in which he establishes his campaign account and the account number assigned to that account. If no contributions have been received nor any monies spent by the filing deadline applicable to the candidate, this form must list the name of the financial institution the candidate will use when activity occurs. An amended form must be filed when the account is opened.

This document is required to be filed as soon as you receive or expend monies relating to your candidacy, announce your candidacy publicly (press conference, print media, radio or television ad, internet, etc.) or file any form listed in Items B through E of Item V herein. For further details, see **Starting A Campaign Committee** in the *Summary of the Campaign Finance Disclosure Act* published by the State Board of Elections and also found on our website:

www.sbe.state.va.us/Campaign_Finance

V. DOCUMENTS REQUIRED TO BE FILED (continued)

B. Certificate of Candidate Qualification

This document is prepared and distributed by the State Board of Elections. **All** candidates are required to file this form.

C. Declaration of Candidacy

This document is prepared and distributed by the State Board of Elections. It must be filed by primary election candidates and independent (non-party) candidates. It must be filed **at the same time** as the petitions.

Candidates for political party nomination by a method **other than a primary** file this declaration and the petitions described below only if so required by the rules of the political party. Contact your district chair to determine if they are required.

D. Petition of Qualified Voters

This document is prepared and distributed by the State Board of Elections. Petitions containing at least the number of signatures required for the office sought must be filed **together with** the *Declaration of Candidacy*. Petitions must be filed by all primary and independent (non-party) candidates. Petitions cannot be circulated until **after** January 1, 2003.

1. Petition Circulator

Petitions can be circulated either by the candidate or another person who is either registered, or eligible to be registered, to vote in the Senate or House of Delegates district in which the candidate is seeking election. The person circulating the petition must affirm before a notary or other person authorized to administer oaths, that he **personally witnessed** the affixing of the signatures. Falsely taking this affidavit is a felony under Virginia law. The petition **NEVER** can be left unattended, i. e., left on the counter at a grocery store, restaurant, etc.

2. Number of Signatures Required

Petitions must contain the signatures of at least the number of qualified voters listed below:

- ◆ for Senate of Virginia
 - 250 signatures of qualified voters of the Senate district;
- ◆ for House of Delegates
 - 125 signatures of qualified voters of the House district.

The State Board recommends that a candidate get at least half again the number of signatures required to assure that enough signers are qualified voters.

V. DOCUMENTS REQUIRED TO BE FILED (continued)

E. Statement of Economic Interests

This document is available from the Clerk of the appropriate House and at the State Board of Elections website: www.sbe.state.va.us. It is required to be filed by all candidates for this election.

Exception - Candidates for re-election to the **same office** need not re-file this form if they met the requirement for filing in January 2003 as officeholders.

VI. PRIMARY FILING FEE

As the name suggests, this fee is required to be filed **only** by primary election candidates. The amount required to be paid is 2% of the annual salary for the office sought in effect in the year in which the candidate files.

- ◆ Senate of Virginia
Filing fee in the amount of \$360.00
[\$18,000 x .02 = \$360.00]

OR

- ◆ House of Delegates
Filing fee in the amount of \$352.80
[\$17,640 x .02 = \$352.80]

NOTE: Candidates who are nominated by a political party by a method **other than** a primary election may be required to pay a filing fee. This fee is determined by the rules of the political party. Contact your district chair for details.

VII. FILING DEADLINES AND WHERE TO FILE

For A Primary Candidate

Items 1, 2 and 3 must be received by your *District Political Party Chair* by the filing deadline. Postmarks are acceptable **only** for *Items 4 and 5* and **only** if they are mailed by registered or certified mail and a receipt showing date of mailing can be produced if demanded by the State Board of Elections.

PRIMARY FILING FEE	WHERE TO FILE	FILING DEADLINE
Filing Fee in the amount of: Senate of Virginia: \$360.00 House of Delegates: \$352.80	Treasurer or Director of Finance of the county or city where the candidate resides	5:00 p.m. 4/11/2003
REQUIRED FORMS	WHERE TO FILE	FILING DEADLINE
*1. Declaration of Candidacy *2. Petitions of Qualified Voters 3. Receipt for Payment of Primary Filing Fee	District Chair of the Political Party Committee	No earlier than Noon, 3/25/2003 and no later than 5:00 p.m., on 4/11/2003
*4. Certificate of Candidate Qualification	State Board of Elections	5:00 p.m. 4/11/2003
*5. Statement of Economic Interests	Clerk of the appropriate House	5:00 p.m. 4/11/2003
*6. Statement of Organization for a Candidate	State Board of Elections and Electoral Board of the candidate's county or city of residence at the office of the General Registrar	5:00 p.m. 4/11/2003

DO'S AND DON'TS FOR A PRIMARY ELECTION

and

GUIDELINES FOR POLLWORKERS AND AUTHORIZED REPRESENTATIVES

Your attention is called to Pages 13 through 16 herein for applicable rules and regulations. Provide this information to any person who will either serve as your representative inside the polls or work for you outside the polls on election day.

Any person who fails to file all the required forms by the above deadline MAY NOT have his name printed on the Primary Election ballot.

*Refer to Pages 3 through 5 herein for details.

VIII. FILING DEADLINE AND WHERE TO FILE

For A Party Candidate Nominated By Method Other Than A Primary

Postmarks are acceptable **only** if these documents are mailed by registered or certified mail and a receipt showing date of mailing can be produced if demanded by the State Board of Elections.

REQUIRED FORMS	WHERE TO FILE	FILING DEADLINE
*1. Certificate of Candidate Qualification	State Board of Elections	7:00 p.m. 6/10/2003
*2. Statement of Economic Interests	Clerk of the appropriate House	7:00 p.m. 6/10/2003
*3. Statement of Organization for a Candidate	State Board of Elections and Electoral Board of the Candidate's county or city of residence at the office of the General Registrar	7:00 p.m. 6/10/2003

DO'S AND DON'TS FOR A GENERAL ELECTION

and

GUIDELINES FOR POLLWORKERS AND AUTHORIZED REPRESENTATIVES

Your attention is called to Pages 17 through 20 herein for applicable rules and regulations. Provide this information to any person who will either serve as your representative inside the polls or work for you outside the polls on election day.

**Any person who fails to file all the required forms by the above deadline
MAY NOT have his name printed on the General Election ballot.**

* Refer to Pages 3 through 5 herein for details.

IX. FILING DEADLINE AND WHERE TO FILE

For An Independent (Non-Party) Candidate

Items 1 and 2 listed below **must be received** by the *General Registrar* by the filing deadline. Postmarks are acceptable **only** for *Items 3 and 4* and **only** if they are mailed by registered or certified mail and a receipt showing date of mailing can be produced if demanded by the State Board of Elections.

REQUIRED FORMS	WHERE TO FILE	FILING DEADLINE
*1. Declaration of Candidacy	General Registrar of the candidate's county or city of residence	7:00 p.m. 6/10/2003
*2. Petitions of Qualified Voters		
*3. Statement of Economic Interests	Clerk of the appropriate House	7:00 p.m. 6/10/2003
*4. Certificate of Candidate Qualification	State Board of Elections	7:00 p.m. 6/10/2003
*5. Statement of Organization for a Candidate	State Board of Elections and Electoral Board of the candidate's county or city of residence at the office of the General Registrar	7:00 p.m. 6/10/2003

DO'S AND DON'TS FOR A GENERAL ELECTION

and

GUIDELINES FOR POLLWORKERS AND AUTHORIZED REPRESENTATIVES

Your attention is called to Pages 17 through 20 herein for applicable rules and regulations. Provide this information to any person who will either serve as your representative inside the polls or work for you outside the polls on election day.

**Any person who fails to file all the required forms by the above deadline
MAY NOT have his name printed on the General Election ballot.**

* Refer to Pages 3 through 5 herein for details.

X. REQUIREMENTS FOR INDEPENDENT CANDIDATE TO USE PARTY ID ON THE BALLOT

The General Assembly enacted legislation permitting an Independent to be identified on the ballot as a member of a political party (other than the Democratic Party or the Republican Party). In order to do so, the State Chair of the group must provide certain documents to the State Board of Elections **no later than 5:00 PM on Monday, June 16, 2003**.

These documents are:

1. An affidavit signed by the State Chair of the group, under oath, stating that the group:
 - a. Has been in existence for at least six months prior to the filing deadline (existed on or before December 10, 2002);
 - b. Has a state central committee composed of registered voters from each of Virginia's 11 congressional districts;
 - c. Has a party plan and bylaws; and
 - d. Has a duly designated chairman and secretary.
2. A list of the names and resident addresses of the officers and members of the state central committee;
3. A copy of the party plan and bylaws; and
4. A letter signed by the State Chair of the group, certifying that the individual is the nominee of the Party and, if his filing is adequate and he is determined to be qualified, is eligible to be identified as such on the November 4, 2003 ballot for the (provide office title) and in the (provide district number) for which he filed as an Independent candidate.

NOTE:

The State Board of Elections recommends that the Independent candidate provide this information to the State Chair of the political party if he wishes to be identified as a member of a specific group on the November 4 ballot to assure that deadline for providing this information is met.

XI. NOTICE OF DEFICIENCIES IN DECLARATION OR PETITIONS

An independent [non-party] candidate may request notification of any problems with his filing that can be corrected before the filing deadline. This request **must be in writing** as required by § 24.2-505 of the *Code of Virginia*.

This letter must be addressed to the Secretary of the Electoral Board of the candidate's county or city of residence. It must accompany the declaration of candidacy and petitions filed with the General Registrar.

The written request **does not guarantee** timely response. Certain factors may affect the electoral board's ability to follow through, that is, the number of filings, etc. It is suggested that documents be filed **at least ten [10] working days before the filing deadline** if this notice is requested.

XII. OTHER REQUIRED REPORTS

All candidates must file *pre-election* and *post-election* reports of Candidate Campaign Committee Contributions and Expenditures. These reports are filed with the State Board of Elections **and**, if reports are filed in paper form, with the Electoral Board of the candidate's county or city of residence.

Reports are due on the schedule established for November elections. If you have questions, please contact the Campaign Finance Division on our toll-free number: 800-552-9745.

The State Board of Elections will canvass the November 4 election on November 24, 2003. A certificate of election will be prepared by the Board on that day. This certificate of election cannot be issued to any person elected until all required reports are filed. Any successful candidate may file the post-election report with each Board no earlier than November 27 and must file it no later than December 4, 2003.

No certificate of election can be issued to any successful candidate who fails to file the required reports.

XIII. ORDER OF NAMES ON BALLOTS

In Primary Elections

Candidates appear on the ballot in the order in which they file. This is why no candidate may file earlier than Noon on March 25, 2003, nor later than 5:00 p.m. on April 11, 2003. If two or more candidates file at the same time, the order in which they appear will be determined by a drawing conducted by the State Board of Elections.

In General Elections

The candidates of political parties appear first on the ballot in the order determined by a drawing conducted by the State Board of Elections. Candidates representing any other recognized political party (see Item X of Page 9 herein), if any, appear next on the ballot in the order determined by a second drawing conducted by the State Board of Elections. Independent (non-party) candidates are listed in alphabetical order after the aforementioned political party candidates.

XIV. THE SUCCESSFUL CANDIDATE

Any successful candidate must file as a condition to assuming office, after the election and on or before January 8, 2003, with the Clerk of the appropriate House, a **second** Statement of Economic Interests as required by §§ 30-110 and 30-111 of the *Code of Virginia*. Forms are prescribed by, and available from either the Clerk of the Senate, P. O. Box 396, Richmond 23218 or the Clerk of the House of Delegates, P. O. Box 406, Richmond 23218.

Failure to so qualify creates a vacancy in the office.

XV. FREQUENTLY ASKED QUESTIONS

1. Who may circulate a candidate's petitions?

A candidate may circulate his own petitions but is not required to do so. A candidate's petitions may be circulated by any person who is, or who is eligible to be, a qualified voter of the Senate District or House District in which the candidate is seeking election.

The circulator must affirm before a notary or other person authorized to administer oaths, that he **personally witnessed** the affixing of the signatures. Falsely taking this affidavit is a felony under Virginia law. The circulator can **NEVER** leave the petition unattended, i.e., left on the counter at a grocery store, restaurant, etc.

2. I am circulating a petition for a candidate. May I also sign as a qualified voter the petition that I am circulating?

I am a Notary circulating petitions for a candidate. May I notarize the petition pages I circulate?

XV. FREQUENTLY ASKED QUESTIONS (continued)

NO TO BOTH. The person circulating the petition must swear, under oath, that he **personally witnessed** the affixing of the signatures on the petition and no person can witness his own signature.

3. I am a candidate and a Notary. May I notarize the petition pages circulated by other persons?

NO. § 47.1-30 of the *Code of Virginia* prohibits a notary from performing a notarial act on any document in which the notary or his spouse is a party, **or** in which either of them has a direct beneficial interest.

Any Notary who violates these provisions is considered guilty of official misconduct, may be removed from office and may be subject to other penalties.

4. I work for the federal government. Can I be a candidate?

Generally, **NO** since the election is partisan.

Employees of the federal government are prohibited from being candidates in partisan elections by the federal law commonly known as the Hatch Act. Most employees of the legislative branch of the federal government are exempt from the Hatch Act. However, they may be affected by other rules and regulations.

Neither a federal government employee nor a person holding any office or post of profit or emolument under the United States government may hold this office. If any person so employed or holding an office of profit or emolument is elected, he would have to resign from the federal government before taking office.

5. I work for the state or a local government. Can I be a candidate?

Some state and local government employees **are prohibited** from being candidates. You may be so prohibited if your Agency receives federal funds. **Contact the personnel officer where you work.** If necessary, present the facts of your case in writing, including the office you wish to seek, to the **Office of the Special Counsel**, 1730 M Street NW, Suite 300, Washington, D. C. 20036. That office will determine if you are affected by the Hatch Act.

Most state and local government employees are not prohibited by law from being a candidate. However, you may be affected by the rules and regulations of the agency or ordinances of the government for which you work. **Contact your personnel officer.**

Further, if you are a salaried officer of the Commonwealth of Virginia, you must resign from the position you hold prior to taking office.

XVI. DO'S AND DON'TS FOR A PRIMARY ELECTION

DO'S AND DON'TS ON A PRIMARY ELECTION DAY

I. CAMPAIGN POLLWORKERS

1. Pollworkers **must be** outside 40 feet of any entrance to the building in which the polling place is located.
2. There is no limit to the number of pollworkers allowed outside the polling place.
3. Pollworkers **cannot** hinder or delay a person from entering or leaving a polling place.
4. Loudspeakers **cannot** be used within 300 feet of any polling place.
5. Campaign material, including sample ballots, may be distributed outside the 40 feet. You may be subject to a \$100 civil fine if you fail to properly identify any such material you or your campaign committee publishes. On sample ballots, you must delete any official authority statement of an electoral board, state or local. For federal offices the authorization notice required by federal law must be used. For all other offices the required identification on a candidate's campaign material is as follows:

"Paid for by (insert name of candidate)".

OR

"Paid for by (insert name of candidate's campaign committee)".

If you have questions relating to either the basic or the additional requirements relating to identification of print media, radio and television campaign advertisements, call and ask for Monica Cousins, Manager, Campaign Finance Division.

6. Samples of any **paper** ballot **cannot** be printed on white paper and **must** contain the words SAMPLE BALLOT in type no smaller than twenty-four point.
7. Samples of any **machine** ballot may be printed on white paper and **must** contain the words SAMPLE BALLOT.
8. The voter is allowed to carry sample ballots and campaign material into the polling place but **must not display** them to other voters.

XVI. DO'S AND DON'TS FOR A PRIMARY ELECTION (CONTINUED)

II. AUTHORIZED REPRESENTATIVE WHILE POLLS OPEN

1. In a **primary** election, **one** from each primary candidate for each registration book. **No more than three representatives** are allowed even if there are more than three registration books.
2. The candidate must provide a notice of authorization. The notice should be done in one of the following methods:
 - a. Provide, at least 5 days prior to the election, a list of authorized representatives for each precinct to the local electoral board; or
 - b. Provide a list of the authorized representatives for the precinct to the chief officer of election at the polling place; or
 - c. Provide each authorized representative with a letter, signed by the candidate. The representative **must** give this letter to the chief officer of election at the polling place.
3. Representatives may stay all day **or** they may come and go in shifts as determined by the candidate.
4. The representative **cannot** be the candidate.
5. The representative **cannot** in any way hinder or delay a voter.
6. The representative **cannot** give, offer or show any ballot, ticket or other campaign material.
7. The representative **cannot** influence any person in casting his ballot.
8. The representative **cannot** hinder or delay any officer of election.
9. The representative **cannot** sit at the registration table with the officers of election but should be placed behind the registration table.
10. A representative may mark or write his own list of those who have voted. An officer **cannot** provide any lists to representatives.
11. A representative **must be** a qualified voter of the city or county in which the polling place is located.
12. The representative may challenge a voter who is suspected or known not to be duly qualified. The challenged voter will be offered an oath by an officer. If the voter subscribes to the oath he **must be allowed** to vote in the normal manner. If the voter refuses to take the oath he will not be allowed to vote. Challenges should not be made frivolously. A person **may not** be challenged as to his party affiliation.

XVI. DO'S AND DON'TS FOR A PRIMARY ELECTION (CONTINUED)

II. AUTHORIZED REPRESENTATIVE WHILE POLLS OPEN (continued)

13. A voter who is educationally or physically unable to vote his own ballot may be assisted, if he so requests, by an officer of election or other person of his choice who is **not** his employer, an officer of his union, nor an agent of his employer or union.

Except for blind voters, all voters requiring assistance must take an oath and vote in the normal manner.

The person assisting **any** such voter must take an oath to vote as the voter directs and not to reveal how the voter voted.

14. The officers of election have the authority to remove any representative who does not adhere to the aforementioned guidelines.

III. REPRESENTATIVE AT CLOSE OF POLLS

1. Each candidate may have one representative at the polling place to witness the counting of ballots and ascertainment of results.
2. Again, the representative **must be** a qualified voter of the city or county in which the polling place is located.
3. Representative **must** have a written statement signed by the candidate he represents. This statement should be presented to the chief officer of election.
4. This representative **may be** the candidate or someone other than the representatives used while the polls are open.
5. The representative **cannot** leave until the final results are ascertained and the chief officer of election has opened the doors and announced the results of the election. **There are no exceptions to this rule.**
6. Representatives may witness the counting and ascertainment of results but **may not** touch or handle any ballot, voting machine or official document.

IV. REPORTING OF ALLEGED ELECTION DAY PROBLEMS

Any alleged voting discrepancies should be reported to the officers of election, the local electoral board and/or the State Board of Elections **at the time they occur**. If complaints are received at the time they occur corrective action, if necessary, can be taken. If reports are not made until the election is completed there is little, if anything, that can be done to remedy the situation.

XVII. GUIDELINES FOR POLLWORKERS AUTHORIZED REPRESENTATIVES

PRIMARY ELECTIONS

§§24.2-604, 24.2-607, 24.2-639 AND 24.2-655 of the Code of Virginia

POLLWORKERS - OUTSIDE POLLING PLACE

- ➔ **MUST BE OUTSIDE** 40 feet of **ANY** entrance to the building in which the polling place for the precinct is located.
- ➔ **NO LIMIT** to the number (#) of pollworkers allowed **OUTSIDE** the polling place.
- ➔ **CANNOT HINDER** or delay a person from entering a polling place.
- ➔ **LOUDSPEAKERS CANNOT** be used with 300 feet of any polling place.
- ➔ **CAMPAIGN MATERIAL**, including *SAMPLE BALLOTS*:
 - must be distributed **OUTSIDE** the 40 feet
 - must contain a statement indicating **WHO PAID FOR** the printing
 - subject to a \$100 fine for failure to properly identify any campaign material
- ➔ **SAMPLES** of any "Paper Ballot" **CANNOT** be printed on white paper **and MUST** contain the words **SAMPLE BALLOT**.
- ➔ **SAMPLES** of any "Machine Ballot" **MAY** be printed on white paper **and MUST** contain the words **SAMPLE BALLOT**.

AUTHORIZED REPRESENTATIVES (REPS) - INSIDE POLLING PLACE

- ◆ **MUST** be a qualified voter of the city or county in which the polling place is located.
- ◆ **MUST** present to the Chief Officer of Election a "letter of authorization" signed by the candidate.
- ◆ **NO CAMPAIGNING** is permitted by anyone **INSIDE** the polling place.
- ◆ **CANNOT HINDER** or delay any officer of election or voter.
- ◆ **CANNOT SIT** at the registration table with officer of election (may sit behind table).
- ◆ **MAY** create their **OWN LIST OF VOTERS & MARK OWN LIST** (an officer **CANNOT** provide any list to **REPS**).

BEFORE POLLS OPEN §24.2-639	WHILE POLLS ARE OPEN §24.2-604	* AFTER POLLS CLOSE §24.2-655
PRIMARY ELECTIONS		
◆ One REP of each Political Party holding a primary	◆ One REP of each primary candidate [CANNOT be the candidate] ◆ CANDIDATES may enter polling places only to Vote or to Visit for NO LONGER than ten (10) minutes <i>NOTE:</i> If the RVL is divided, one REP is permitted for each division. This number may not exceed three REPS of any candidate at one time.	◆ One REP of each primary candidate [MAY be the candidate] <i>NOTE:</i> The above number of REPS apply regardless of the number of RVL divisions.

- ◆ The officers of election **HAVE THE AUTHORITY TO REMOVE** any representative who does not adhere to the above guidelines.
- * The representative **CANNOT LEAVE** the polling place nor **RELAY IN ANY MANNER** the results of the election until **AFTER** the final results are ascertained and the Chief Officer of Election has opened the doors and announced the results of the election. There are **NO** exceptions to this rule.
- * Representatives may witness the counting and ascertainment of results but **MAY NOT** touch or handle any ballot, voting machine or official document.

XVIII. DO'S AND DON'TS FOR A GENERAL ELECTION

DO'S AND DON'TS ON A GENERAL ELECTION DAY

I. CAMPAIGN POLLWORKERS

1. Pollworkers **must be** outside 40 feet of any entrance to the building in which the polling place is located.
2. There is no limit to the number of pollworkers allowed outside the polling place.
3. Pollworkers **cannot** hinder or delay a person from entering or leaving a polling place.
4. Loudspeakers **cannot** be used within 300 feet of any polling place.
5. Campaign material, including sample ballots, must be distributed outside the 40 feet. You may be subject to a \$100 civil fine if you fail to properly identify any such material you or your campaign committee publishes. On sample ballots, you must delete any official authority statement of an electoral board, state or local. For federal offices, the authorization notice required by federal law must be used. For all other offices, the required identification on a candidate's campaign material is as follows:

"Paid for by (insert name of candidate)

OR

"Paid for by (insert name of candidate's campaign committee)".

If you have questions relating to either the basic or the additional requirements relating to identification of print media, radio and television campaign advertisements, call and ask for Monica Cousins, Manager, Campaign Finance Division.

6. Samples of any **paper** ballot **cannot** be printed on white paper and **must** contain the words SAMPLE BALLOT in type no smaller than twenty-four point.
7. Samples of any **machine** ballot may be printed on white paper and **must** contain the words SAMPLE BALLOT.
8. The voter is allowed to carry sample ballots and campaign material into the polling place but **must not display** them to other voters.

XVIII. DO'S AND DON'TS FOR A GENERAL ELECTION (CONTINUED)**II. AUTHORIZED REPRESENTATIVE WHILE POLLS OPEN**

1. **One** from each party and **one** from each independent candidate for each division of the precinct roster. **No more than three representatives** are allowed even if the precinct roster has more than three divisions.
2. The chairman of the political party or the independent candidate must provide a notice of authorization. The notice should be done in one of the following methods:
 - a. Provide, at least 5 days prior to the election, a list of authorized representatives for each precinct to the local electoral board; or
 - b. Provide a list of the authorized representatives for the precinct to the chief officer of election at the polling place; or
 - c. Provide each authorized representative with a letter, signed by the party chairman or the independent candidate. The representative **must** give this letter to the chief officer of election at the polling place.
3. Representatives may stay all day **or** they may come and go in shifts as determined by the party or independent candidate.
4. The representative **cannot** be the candidate.
5. The representative **cannot** in any way hinder or delay a voter.
6. The representative **cannot** give, offer or show any ballot, ticket or other campaign material.
7. The representative **cannot** influence any person in casting his ballot.
8. The representative **cannot** hinder or delay any officer of election.
9. The representative **cannot** sit at the registration table with the officers of election but should be placed behind the registration table.
10. A representative may mark or write his own list of those who have voted. An officer **cannot** provide any lists to representatives.
11. A representative **must be** a qualified voter of the city or county in which the polling place is located.
12. The representative may challenge a voter who is suspected or known not to be duly qualified. The challenged voter will be offered an oath by an officer. If the voter subscribes to the oath he **must be allowed** to vote in the normal manner. If the voter refuses to take the oath he will not be allowed to vote. Challenges should not be made frivolously.

XVIII. DO'S AND DON'TS FOR A GENERAL ELECTION (CONTINUED)**II. AUTHORIZED REPRESENTATIVE WHILE POLLS OPEN** (continued)

13. A voter who is educationally or physically unable to vote his own ballot may be assisted, if he so requests, by an officer of election or other person of his choice who is **not** his employer, an officer of his union, nor an agent of his employer or union.

Except for blind voters, all voters requiring assistance must take an oath and vote in the normal manner.

The person assisting **any** such voter must take an oath to vote as the voter directs and not to reveal how the voter voted.

14. The officers of election have the authority to remove any representative who does not adhere to the aforementioned guidelines.

III. REPRESENTATIVE AT CLOSE OF POLLS

1. Each political party may have two representatives and an independent candidate may have one representative at the polling place to witness the counting of ballots and ascertainment of results.
2. Again, the representative **must be** a qualified voter of the city or county in which the polling place is located.
3. Representative **must** have a written statement signed by his party chairman or the independent candidate he represents. This statement should be presented to the chief officer of election.
4. This representative **may be** the candidate or someone other than the representatives used while the polls are open.
5. The representative **cannot** leave until the final results are ascertained and the chief officer of election has opened the doors and announced the results of the election. **There are no exceptions to this rule.**
6. Representatives may witness the counting and ascertainment of results but **may not** touch or handle any ballot, voting machine or official document.

IV. REPORTING OF ALLEGED ELECTION DAY PROBLEMS

Any alleged voting discrepancies should be reported to the officers of election, the local electoral board and/or the State Board of Elections **at the time they occur**. If complaints are received at the time they occur corrective action, if necessary, can be taken. If reports are not made until the election is completed there is little, if anything, that can be done to remedy the situation.

XIX. GUIDELINES FOR POLLWORKERS AND AUTHORIZED REPRESENTATIVES

GENERAL ELECTIONS

§§24.2-604, 24.2-607, 24.2-639 AND 24.2-655 of the Code of Virginia

POLLWORKERS - OUTSIDE POLLING PLACE

- **MUST BE OUTSIDE** 40 feet of **ANY** entrance to the building in which the polling place for the precinct is located.
- **NO LIMIT** to the number (#) of pollworkers allowed **OUTSIDE** the polling place.
- **CANNOT HINDER** or **DELAY** a person from entering or leaving a polling place.
- **LOUDSPEAKERS CANNOT** be used within 300 feet of any polling place.
- **CAMPAIGN MATERIAL**, including **SAMPLE BALLOTS**:
 - must be distributed **OUTSIDE** the 40 feet
 - must contain a statement indicating **WHO PAID FOR** the printing
 - subject to a \$100 fine for failure to properly identify any campaign material
- **SAMPLES** of any "Paper Ballot" **CANNOT** be printed on white paper **and MUST** contain the words **SAMPLE BALLOT**.
- **SAMPLES** of any "Machine Ballot" **MAY** be printed on white paper **and MUST** contain the words **SAMPLE BALLOT**.

AUTHORIZED REPRESENTATIVES (REPS) - INSIDE POLLING PLACE

- ◆ **MUST** be a qualified voter of the city or county in which the polling place is located.
- ◆ **MUST** present to the Chief Officer of Election a "letter of authorization" signed by the Independent candidate or Party Chair.
- ◆ **NO CAMPAIGNING** is permitted by anyone **INSIDE** the polling place.
- ◆ **CANNOT HINDER** or **DELAY** any officer of election or voter.
- ◆ **CANNOT SIT** at the registration table with officer of election (may sit behind table).
- ◆ **MAY** create their **OWN LIST OF VOTERS & MARK OWN LIST** (an officer **CANNOT** provide any list to **REPS**).

BEFORE POLLS OPEN §24.2-639	WHILE POLLS ARE OPEN §24.2-604	* AFTER POLLS CLOSE §24.2-655
GENERAL ELECTIONS		
◆ One REP of each Political Party	◆ One REP of each Political Party ◆ One REP of each independent candidate [CANNOT be the candidate] ◆ CANDIDATES may enter polling places only to Vote or to Visit for NO LONGER than ten (10) minutes NOTE: If the Precinct Roster is divided, one REP is permitted for each division. This number may not exceed three REPS of any Political Party or independent candidate at one time.	◆ Two REPS of each Political Party having a candidate on the ballot ◆ One REP of each independent candidate [MAY be the candidate] NOTE: The above number of REPS apply regardless of the number of Precinct Roster divisions.

- ◆ The officers of election **HAVE THE AUTHORITY TO REMOVE** any representative who does not adhere to the above guidelines.
- * The representative **CANNOT LEAVE** the polling place nor **RELAY IN ANY MANNER** the results of the election until **AFTER** the final results are ascertained and the Chief Officer of Election has opened the doors and announced the results of the election. There are **NO** exceptions to this rule.
- * Representatives may witness the counting and ascertainment of results but **MAY NOT** touch or handle any ballot, voting machine or official document.

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